

SOUTHEAST REGION CIVIL ADMINISTRATIVE – COMMERCIAL PENALTY SCHEDULE
(Includes Charter Boats and Head Boats)

VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
VIOLATIONS REGARDING SIZE/CONDITION/QUANTITY OF FISH	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
UNLAWFUL QUANTITY RESULTING FROM NON-ISSUED (OR OTHERWISE INVALID) PERMIT/LIMITED ENTRY SHARE/ENDORSEMENT			
Act without a permit/limited entry share/endorsement	See entries under Act without a Permit/Limited Entry Share/Endorsement (beginning page 5)		
Exceed trip limits (except ITQ)	\$1,500 - \$25,000 Permit Sanctions 0 - 30 days	\$3,000 - \$50,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
VIOLATIONS REGARDING FISHING/POSSESSING/DEALING AT THE WRONG TIME/PLACE			

*The \$100,000 statutory maximum civil monetary penalty under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson Act), 16 U.S.C. § 1858(a), has been adjusted for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. No. 101-410), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. No. 104-134), which requires each agency to issue regulations to adjust all civil monetary penalties established by law and assessed or enforced by the agency. Adjusted maximum civil monetary penalties are applicable to all violations that occur after October 23, 1996, and further adjustments for inflation are required at least once every four years after that date. The adjusted maximum civil monetary penalty for the Magnuson Act is \$110,000. 61 Fed. Reg. 55092 (October 24, 1996) (adding 15 C.F.R. § 6.4(f)(10)).

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Area/Season/Quota Closures; Zero bag limit; Limited entry fishery; HAPCs (including SMZ, Oculina Banks)	\$500 - \$15,000 Permit Sanctions 0 - 30 days	\$2,500 - \$25,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
VIOLATIONS REGARDING THE METHOD OF FISHING/GEAR			
Method of Fishing			
Illegal gear, <u>e.g.</u> , powerhead, trap, trawl, (e.g., gear separation zones - stone crab/shrimp zones), longline, speargun, other	\$500 - \$5,000 Permit Sanctions 0 - 30 days	\$2,500 - \$10,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 -90 days/ revoke
Illegal method, <u>e.g.</u> , poisons, explosives	\$3,000 - \$10,000 Permit Sanctions 0 - 30 days	\$5,000 - \$20,000 Permit Sanctions 45 - 60 days	\$10,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Gear Construction/Exceed Maximum Quantity Allowed/Etc.			
Trap construction	\$500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$15,000 Permit Sanctions 45 - 60 days	\$4,000 - \$20,000 Permit Sanctions 60 - 90 days/ revoke
Exceed maximum quantity of traps allowed/Fail to return traps	\$2,000 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$15,000 Permit Sanctions 45 - 60 days	\$4,000 - \$20,000 Permit Sanctions 60 - 90 days/ revoke
Net construction - mesh size	\$2,000 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$15,000 Permit Sanctions 45 - 60 days	\$4,000 - \$20,000 Permit Sanctions 60 -90 days/ revoke
Net construction - net size	\$2,000 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$15,000 Permit Sanctions 45 - 60 days	\$4,000 - \$20,000 Permit Sanctions 60 - 90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Improper gear/vessel identification	\$250 - \$2,000	\$1,000 - \$5,000	\$2,000 - Statutory Max.
VIOLATIONS REGARDING PERMITS, REPORTING, DOCUMENTATION			
Falsify information			
Income or landing information	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 -90 days/ revoke
Other information	\$500 - \$10,000 Permit Sanctions 0 - 30 days	\$1,000 - \$15,000 Permit Sanctions 45 - 60 days	\$2,000 - \$20,000 Permit Sanctions 60 - 90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Act without a permit/limited entry share/endorsement (dealers & fishermen & vessels)			
Wreckfish/Reef fish - No ITQ/permit displayed or reef fish permit expired more than one year	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Wreckfish/Reef fish - Reef fish permit expired within one year	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Snapper-Grouper/Shark/Coastal Migratory Pelagics/Spiny Lobster/ Swordfish/Vessels of the U.S. Fishing in Columbian Treaty Waters - Either no current permit or an expired permit is displayed	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 -90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Coral and Coral Reef - No permit to collect allowable octocoral	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Coral and Coral Reef - No permit to collect prohibited coral - for commercial coral/aquaculture businesses	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Coral and Coral Reef - No permit to collect live rock	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Letters of authorization/extension	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Fail to comply with permit condition/restriction (i.e., the named operator is not onboard the vessel)	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Misuse or mishandling of limited entry documents or quota coupons	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
VIOLATIONS REGARDING FAILING TO MAKE FISH OR RECORDS AVAILABLE FOR INSPECTION			
Records	\$500 - \$10,000 Permit Sanctions 0 - 30 days	\$1,000 - \$20,000 Permit Sanctions 45 - 60 days	\$2,000 - Statutory Max. Permit Sanctions 60 -90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Fish	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
VIOLATIONS REGARDING TRANSFER, PURCHASE, TRADE, SALE (AND ATTEMPTS)	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
VIOLATIONS REGARDING OBSERVERS			
Failing to embark/provide information	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Falsify information	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
Violations against the observer (<u>e.g.</u> , assault, prohibiting an observer from his/her duties, failing to provide the required necessities, etc.)	\$10,000 - \$25,000 Permit Sanctions 0 - 30 days	\$20,000 - \$50,000 Permit Sanctions 45 - 60 days	\$40,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
VIOLATIONS REGARDING FAILING TO COMPLY WITH MORE RESTRICTIVE LAW	\$1,500 - \$2,500 Permit Sanctions 0 - 30 days	\$2,500 - \$3,000 Permit Sanctions 45 - 60 days	\$3,500 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke

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VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
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VIOLATIONS REGARDING INTERFERENCE	See, Maguson Act Domestic Penalty Schedule		
VIOLATIONS REGARDING FALSE STATEMENTS TO AN AUTHORIZED OFFICER	\$1,500 - \$10,000	\$3,000 - \$20,000	\$5,000 - Statutory Max.
VIOLATIONS REGARDING OPERATING A VESSEL THAT HAS A VIOLATION	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days/ revoke
VIOLATIONS REGARDING ANOTHER'S GEAR, ETC.			
Tending, etc., another's gear without prior written consent	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 - 90 days
Place articles in EEZ with intent to interfere, etc.	\$1,500 - \$10,000 Permit Sanctions 0 - 30 days	\$3,000 - \$20,000 Permit Sanctions 45 - 60 days	\$5,000 - Statutory Max. Permit Sanctions 60 -90 days/ revoke